City of Bellevue
Development Services Department
Land Use Staff Report

Proposal Name:	**Howard Hui Residence Critical Areas Land Use Permit**
Proposal Address:	**1607 W. Lake Sammamish Pkwy SE**
Proposal Description:	Critical Areas Land Use Permit to obtain a reasonable use exception for the construction of a single-family residence within a maximum allowed 2,625 square foot area on a 26,785 square foot lot. The site contains both steep slopes and a category II wetland, and is adjacent to a parcel containing Type N stream. These critical areas and critical area buffers entirely encumber the subject property.
File Number:	**17-108159-LO**
Applicant:	**Hui He**
Decisions Included:	Critical Areas Land Use Permit Land Use Code (LUC) Part 20.30P (Process II decision)
Planner:	**David Wong**, Planner
State Environmental Policy Act Threshold Determination:	**Exempt per WAC 197-11-800**
Director's Decision:	**Approval with Conditions**

Elizabeth Stead, Land Use Director
Development Services Department

Application Date:	March 10, 2017
Notice of Application Publication Date:	June 8, 2017
Decision Publication Date:	April 25, 2019
Appeal Deadline:	May 9, 2019

For information on how to appeal a proposal, visit Development Services Center at City Hall or call (425) 452-6800. Comments on State Environmental Policy Act (SEPA) Determinations can be made with or without appealing the proposal within the noted comment period for a SEPA Determination. Appeal of the Decision must be received in the City's Clerk's Office by 5 PM on the date noted for appeal of the decision.

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I. Proposal Description

The applicant intends to construct a single-family residence on the property at 1607 West Lake Sammamish Parkway SE (the "Property"). The lot is 26,785 square foot in size and the proposed home footprint is 1,680 square feet. The site is entirely encumbered by critical areas and critical area buffers, containing both steep slopes and a category II wetland, and is adjacent to a parcel containing a Type N stream.

Due to these encumbrances, per LUC 20.25H.200, the site is considered to have no reasonable uses under the regulations of Part 20.25H LUC. Thus, the applicant is requesting a reasonable use exception to allow limited use and disturbance of critical areas and critical area buffers. A reasonable use exception is processed as a Critical Areas Land Use Permit (CALUP). The reasonable use provisions would allow a maximum 2,625 square-foot area of development. A CALUP establishes conditions and performance standards that must be met in order to obtain subsequent permits for the construction of the single-family residence on the subject property. **See Figure 1 for the location of permanent improvements and critical areas on the site. See Figure 2 for house footprint and driveway design.**

Figure 1

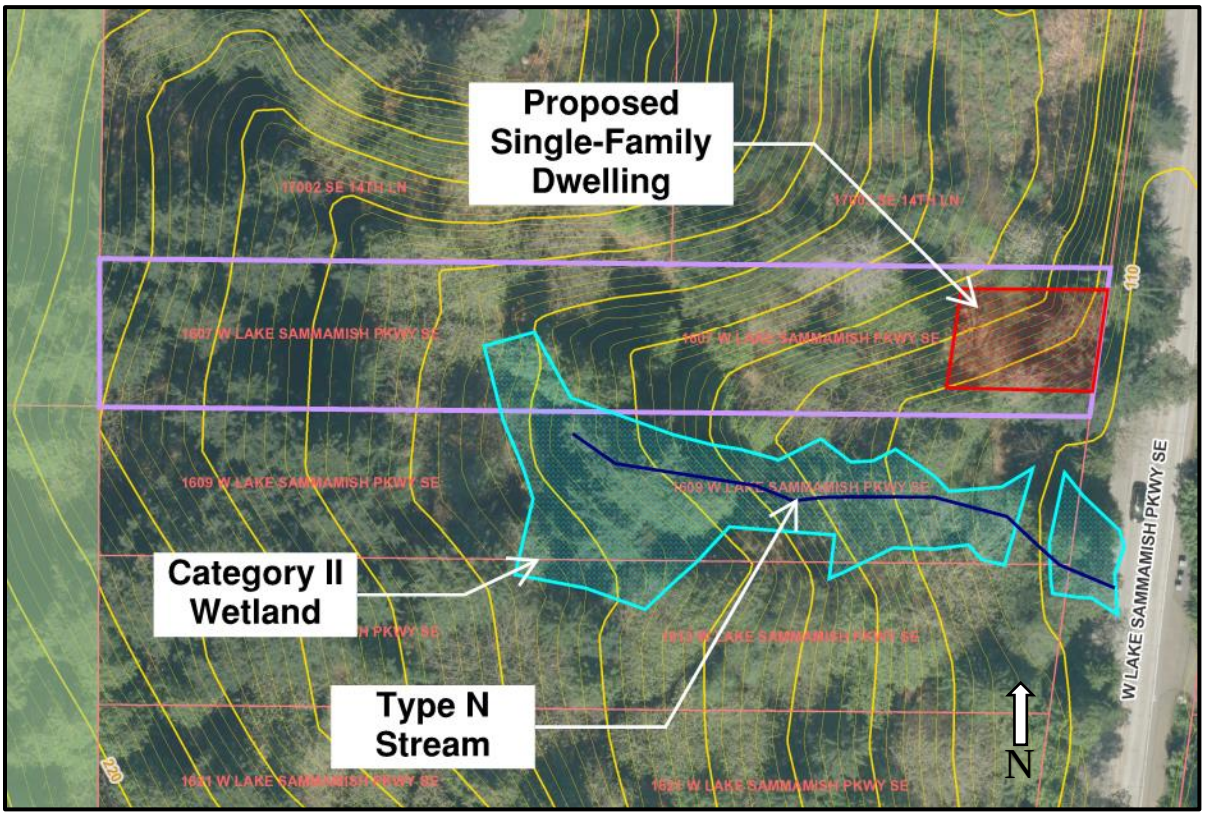
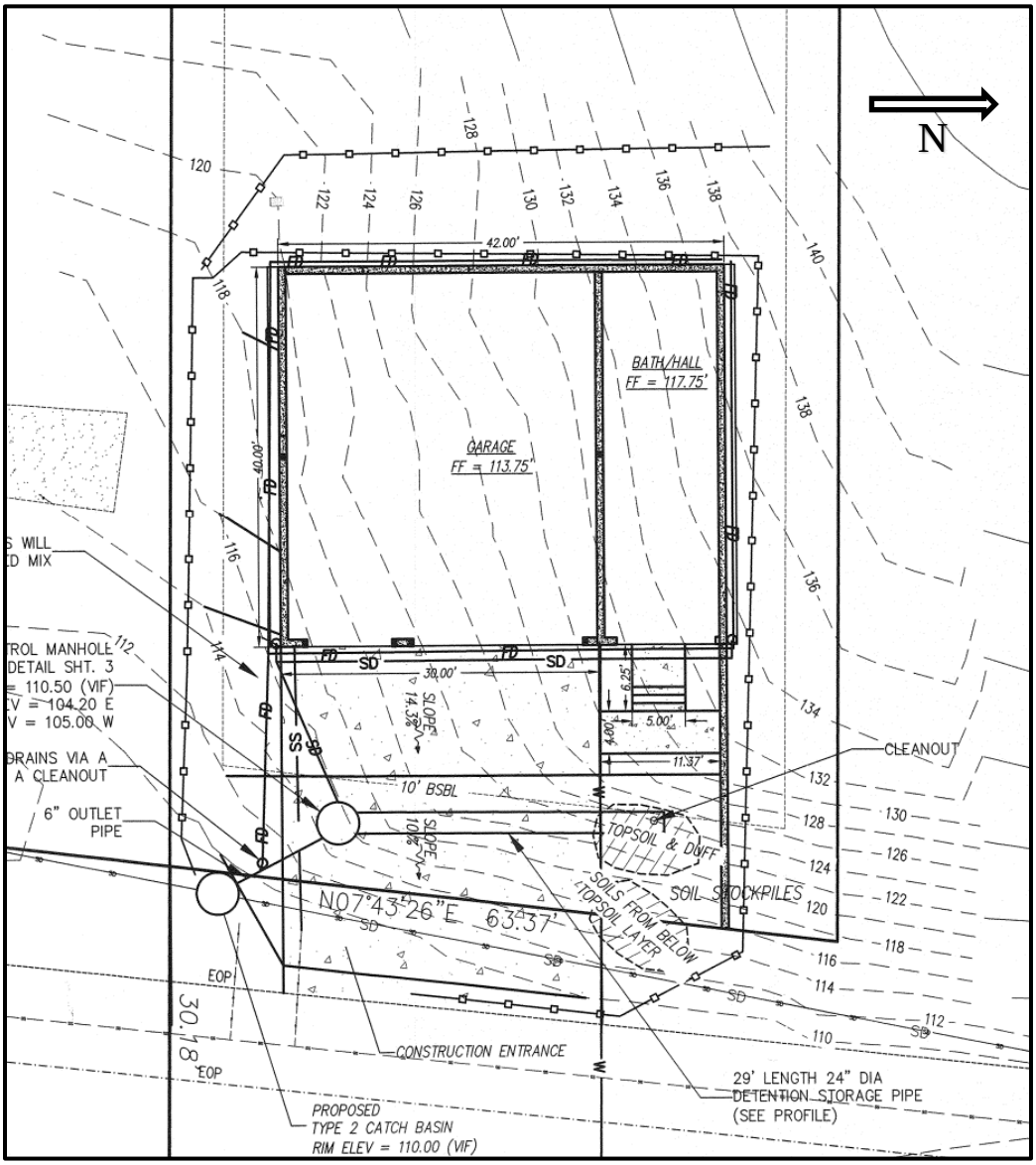


Figure 2

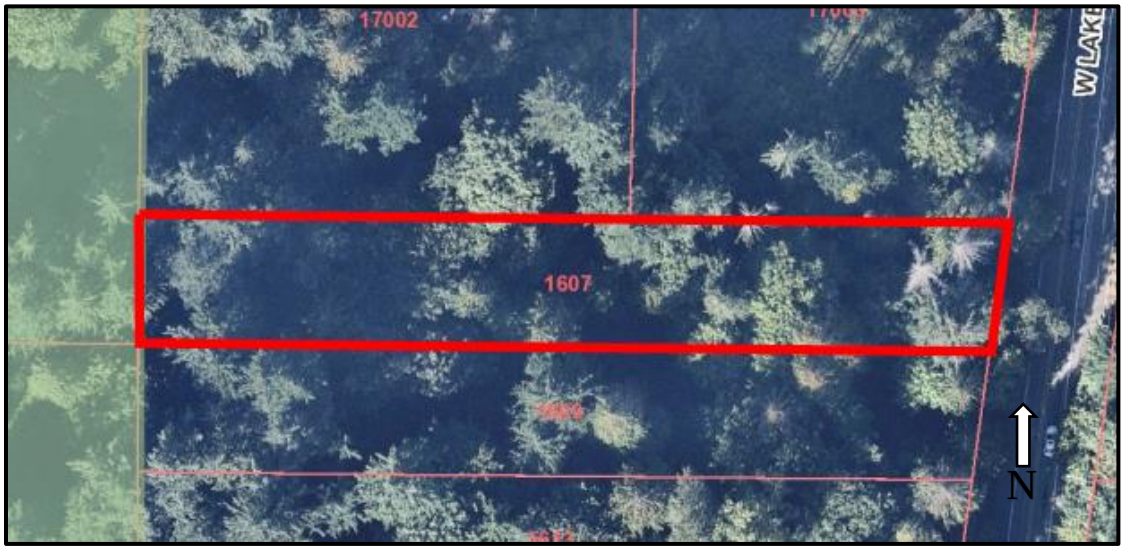


II. Site Description, Zoning, Land Use and Critical Areas

A. Site Description

The Property is identified by King County tax parcel number 9253900220. It is located at 1607 West Lake Sammamish Parkway SE, on the west side of West Lake Sammamish Parkway SE, roughly 2.4 miles north of Interstate-90. The lot is approximately 60' wide by 425' deep. The size of the lot is 26,785 square feet. The vegetation on the site is typical of native mixed conifer/deciduous forest in the Puget Sound. There are significant native conifers trees, deciduous trees, and a diversity of native and exotic understory species present on the site. **See Figure 3 for an aerial map of the site.**

Figure 3



B. Zoning

The Property is in a single-family residential land use district, R-3.5. The R-3.5 land use district allows 3.5 dwellings per acre and is intended for residential areas of low to moderate densities. **See Figure 4 for vicinity zoning map.**

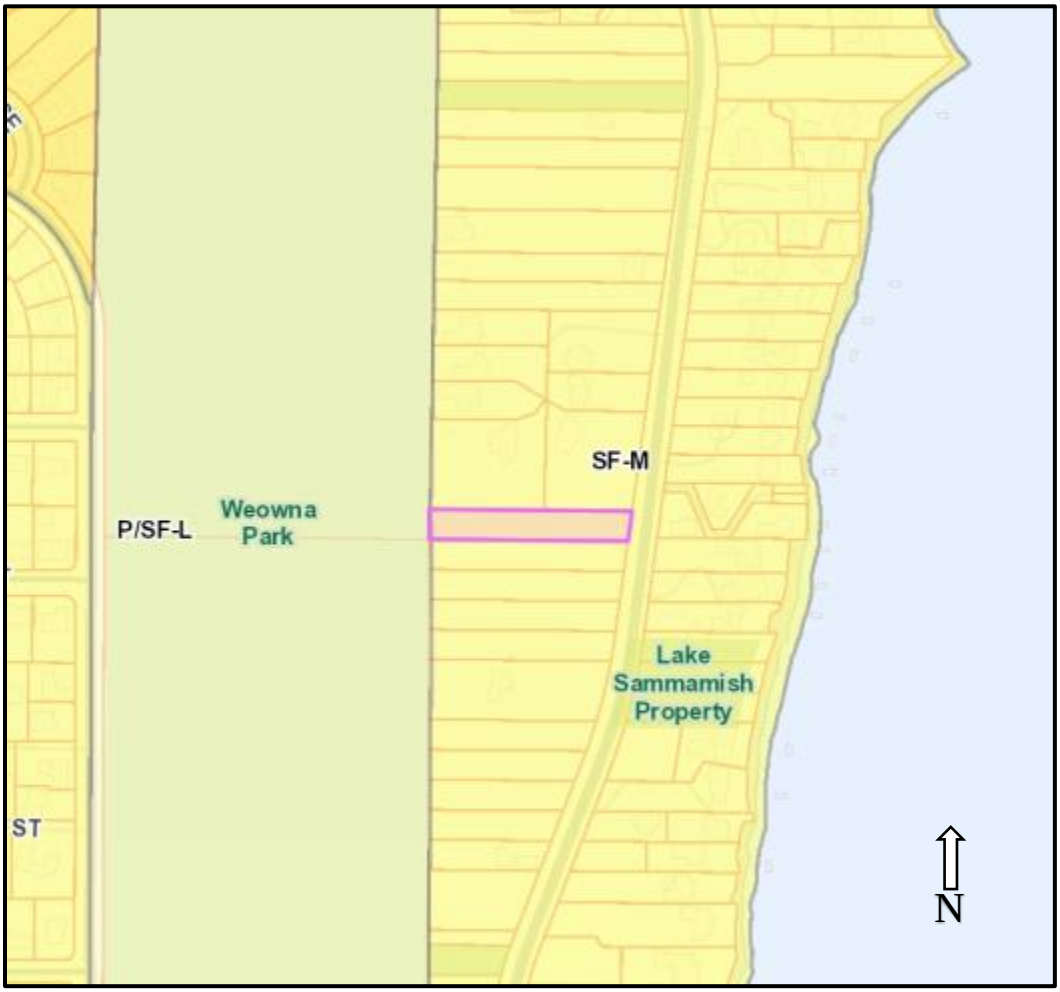
Figure 4

C. Land Use Context

The Property is bordered on the south by an undeveloped, forested parcel; the north by two properties with existing single-family residences; the east by West Lake

Sammamish Parkway; and the west by Weowna Park. The Property is located within the Southeast Bellevue Subarea of the Comprehensive Plan and has a Comprehensive Plan designation of Single-Family Medium Density (SF-M). **See Figure 5 for Comprehensive Plan mapping.**

Figure 5



D. Critical Areas

i. Steep Slopes

The Property has three areas of southeast-facing slopes that are 40% or greater, have a rise of greater than 10-feet in elevation and cover 1000 square feet or more in area. These areas of steep slopes meet the definition of steep slopes in Part 20.25H LUC. Per LUC 20.25H.120.B.1 steep slopes are required to have buffers of 50-feet measured from the top-of-slope and structure setbacks of 75-feet from the toe-of-slope.

ii. Wetlands

The Property contains a category II wetland. The wetland extends to two adjacent properties to the south and the right-of-way. The wetland is associated with the numerous seeps originating from the hillsides and a small, Type N stream flowing on the

property to the south. The wetland is dominated by red alder (*Alnus rubra*), salmonberry (*Rubus spectabilis*), lady fern (*Athyrium filix-femina*) and skunk cabbage (*Lysichiton americanum*). As a category II wetland with a habitat score of 20 to 28 (Attachment 3 pg. 7, 17) on an undeveloped site, LUC 20.25H.095 requires a critical area buffer of 110 feet from the edge of the wetland and a 20-foot structure setback. The Critical Areas Land Use application was received prior to code updates that occurred in November 2018 and is subject to the 2004 wetland rating system for western Washington.

iii. Streams

There is a stream on the adjacent property to the south which affects the Property due to topography and measure of the required buffer. The stream originates out of seep in the hillside on the property to the south. The stream is not fish-bearing because it is shallow, steep and outflows through a small culvert under West Lake Sammamish Parkway. It leaves the culvert for a short period and then enters another culvert where it travels to Lake Sammamish, a fish bearing body of water. Because the stream is functionally connected to fish-bearing waters, it is classified as a Type N stream. Per LUC 20.25H.075.C, when a lot where a Type N stream is located is undeveloped, the critical area buffers are established at 50-feet from the top of bank. Thus, measuring 50-feet from the top of bank, the stream buffers occur on the Property.

E. Critical Areas Functions and Values

i. Streams and Riparian Areas

Most of the elements necessary for a healthy aquatic environment rely on processes sustained by dynamic interaction between the stream and the adjacent riparian area (Naiman et al., 1992). Riparian vegetation in floodplains and along stream banks provides a buffer to help mitigate the impacts of urbanization (Finkenbine et al., 2000 in Bolton and Shellberg, 2001). Riparian areas support healthy stream conditions.

Riparian vegetation, particularly in forested riparian areas, affects water temperature by providing shade to reduce solar exposure, regulating high ambient air temperatures, and slowing or preventing increases in water temperature (Brazier and Brown, 1973; Corbett and Lynch, 1985).

Upland and wetland riparian areas retain sediments, nutrients, pesticides, pathogens, and other pollutants that may be present in runoff, protecting water quality in streams (Ecology, 2001; City of Portland 2001). The roots of riparian plants also hold soil and prevent erosion and sedimentation that may affect spawning success or other behaviors, such as feeding.

Both upland and wetland riparian areas reduce the effects of flood flows. Riparian areas and wetlands reduce and desynchronize peak crests and flow rates of floods (Novitzki, 1979; Verry and Boelter, 1979 in Mitsch and Gosselink, 1993). Upland and wetland areas can infiltrate floodflows, which in turn, are released to the stream as baseflow

Stream riparian areas, or buffers, can be a significant factor in determining the quality of wildlife habitat. For example, buffers comprised of native vegetation with multi-canopy structure, snags, and down logs provide habitat for the greatest range of wildlife species (McMillan, 2000). Vegetated riparian areas also provide a source of large woody debris that helps create and maintain diverse in-stream habitat, as well as create woody debris jams that store sediments and moderate flood velocities.

Sparsely vegetated or vegetated buffers with non-native species may not perform the needed functions of stream buffers. In cases where the buffer is not well vegetated, it is necessary to either increase the buffer width or require that the standard buffer width be restored or revegetated (May 2003). Until the newly planted buffer is established the near term goals for buffer functions may not be attained.

Riparian areas often have shallow groundwater tables, as well as areas where groundwater and surface waters interact. Groundwater flows out of riparian wetlands, seeps, and springs to support stream baseflows. Surface water that flows into riparian areas during floods or as direct precipitation infiltrates into groundwater in riparian areas and is stored for later discharge to the stream (Ecology, 2001; City of Portland, 2001).

ii. Wetlands

Wetlands provide important functions and values for both the human and biological environment—these functions include flood control, water quality improvement, and nutrient production. These “functions and values” to both the environment and the citizens of Bellevue depend on their size and location within a basin, as well as their diversity and quality. While Bellevue’s wetlands provides various beneficial functions, not all wetlands perform all functions, nor do they perform all functions equally well (Novitski et al., 1995). However, the combined effect of functional processes of wetlands within basins provides benefits to both natural and human environments. For example, wetlands provide significant stormwater control, even if they are degraded and comprise only a small percentage of area within a basin.

iii. Geologic Hazard Areas

Geologic hazards pose a threat to the health and safety of citizens when commercial, residential, or industrial development is inappropriately sited in areas of significant hazard. Some geologic hazards can be reduced or mitigated by engineering, design, or modified construction practices. When technology cannot reduce risks to acceptable levels, building in geologically hazardous areas is best avoided (WAC 365-190).

Steep slopes may serve several other functions and possess other values for the City and its residents. Several of Bellevue’s remaining large blocks of forest are located in steep slope areas, providing habitat for a variety of wildlife species and important linkages between habitat areas in the City. These steep slope areas also act as conduits for groundwater, which drains from hillsides to provides a water

source for the City's wetlands and stream systems. Vegetated steep slopes also provide a visual amenity in the City, providing a "green" backdrop for urbanized areas enhancing property values and buffering urban development.

iv. Habitat Associated with Species of Local Importance

Urbanization, the increase in human settlement density and associated intensification of land use, has a profound and lasting effect on the natural environment and wildlife habitat (McKinney 2002, Blair 2004, Marzluff 2005 Munns 2006), is a major cause of native species local extinctions (Czech et al 2000), and is likely to become the primary cause of extinctions in the coming century (Marzluff et al. 2001a). Cities are typically located along rivers, on coastlines, or near large bodies of water. The associated floodplains and riparian systems make up a relatively small percentage of land cover in the western United States, yet they provide habitat for rich wildlife communities (Knopf et al. 1988), which in turn provide a source for urban habitat patches or reserves. Consequently, urban areas can support rich wildlife communities. In fact, species richness peaks for some groups, including songbirds, at an intermediate level of development (Blair 1999, Marzluff 2005). Protected wild areas alone cannot be depended on to conserve wildlife species. Impacts from catastrophic events, environmental changes, and evolutionary processes (genetic drift, inbreeding, colonization) can be magnified when a taxonomic group or unit is confined to a specific area, and no one area or group of areas is likely to support the biological processes necessary to maintain biodiversity over a range of geographic scales (Shaughnessy and O'Neil 2001). As well, typological approaches to taxonomy or the use of indicators present the risk that evolutionary potential will be lost when depending on reserves for preservation (Rojas 2007). Urban habitat is a vital link in the process of wildlife conservation in the U.S.

III. Consistency with Land Use Code Requirements:

A. Zoning District Dimensional Requirements:

The property is zoned R-3.5. This proposal to obtain a reasonable use exception for the construction of a single-family residence is consistent with the Property's zoning designation. The proposal is consistent with the underlying zoning district and applicable dimensional requirements, where not modified by LUC 20.25H.040, based on the materials submitted.

B. Reasonable Use Exception – Applicability (LUC 20.25H.200):

A reasonable use exception may be granted when no other reasonable use of property exists by the application of the regulations of LUC 20.25H.200. Under LUC 20.25H.200.A.2.a, reasonable use exception is applicable to a small lot in a single-family land use district, defined as "any lot that does not earn more than one unit under the density/intensity calculation of LUC 20.25H.045.

The site is entirely encumbered by critical areas and critical area buffers. When the development density/intensity calculations outlined in LUC 20.25H.045 are applied to this situation the site does not have the potential for a single dwelling unit. As such, the site meets the definition of a small lot as defined in LUC 20.25H.200.A.2.a and a reasonable use exception may be granted.

C. Consistency with Land Use Code Critical Areas Performance Standards (LUC 20.25H.205):

Where a reasonable use exception is granted to allow disturbance of a critical area or critical area buffer, the development is subject to the performance standards applicable to the specific critical area occurring on the Property (streams—LUC 20.25H.080; wetlands—LUC 20.25H.100; and geologic hazard areas—LUC 20.25H.125) and those in LUC 20.25H.205.

i. Streams & Wetlands

Performance standards for streams (LUC 20.25H.080) and wetlands LUC 20.25H.100)

1. **Lights shall be directed away from the stream and wetland.**
   The proposed development will have no exterior lighting directed toward the stream and wetland. See Section IX of Conditions of Approval.

2. **Activity that generates noise such as parking lots, generators, and residential uses shall be located away from the stream and wetland or any noise shall be minimized through use of design and insulation techniques.**
   During construction, activities that generate noise will be the minimum necessary to construct and develop the site. After construction, noise from the residential use will be minimal. Noise levels affecting the stream and wetland will be typical for a single-family residence and will not be more that ambient noise from adjacent roadway. Preserved significant vegetation and restoration plantings will serve to buffer noise impacts. See Conditions of Approval in Section IX of this report.

3. **Toxic runoff from new impervious area shall be routed away from the stream and wetland.**
   Toxic runoff from the new impervious surface at the residence will be directed into the existing storm drainage system within the right of way and will not be directed into the stream or wetland critical areas or critical area buffers.

4. **Treated water may be allowed to enter the stream and wetland critical area buffers.**
   No treated water sources will be created.

5. **The outer edge of the stream and wetland critical area buffers shall be planted with dense vegetation to limit pet or human use.**

The outer edges of the stream and wetland buffers are located approximately 180 feet to the west and 45 feet to the south from the portion of the site proposed for development and contain existing dense, native shrubs and understory. Installation of a wooden split-rail fence outside of the defensible space of the single-family residence will be required prior to occupancy of the residence. See Conditions of Approval in Section IX of this report.

6. **Use of pesticides, insecticides and fertilizers within 150 feet of the edge of the stream and wetland critical area buffers shall be in accordance with the City of Bellevue's "Environmental Best Management Practices," now or as hereafter amended.**
   Pesticides, insecticides and fertilizers are not proposed, and invasive species and weed control within the restoration areas will be done manually. Any proposal to use pesticides, insecticides, and/or fertilizers will need to meet the requirements of the City's Environmental Best Management Practices manual. See Conditions of Approval in Section IX of this report.

7. **All applicable standards of Chapter 24.06 BCC, Storm and Surface Water Utility Code, are met.**
   The project has been reviewed by City of Bellevue Utilities staff and the proposed storm and surface water utility design was determined to conceptually meet all applicable standards. However, a separate Utilities Permit is required to fully review and verify compliance with all stormwater engineering requirements for the proposed single-family residence. See Section V for more information. See Conditions of Approval in Section IX of this report.

ii. Geologic Hazard Areas

Performance standards – Landslide hazards and steep slopes (LUC 20.25H.125)

1. **Structures and improvements shall minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography;**
   The preliminary, stated design of the structure that is proposed for this reasonable use exception minimizes alteration of the natural contours of the site to the greatest extent possible. The project has been designed to be located where the minimum amount of slope alteration is required, taking into account stream and wetland buffers and the minimum setbacks allowed by LUC 20.25H.040.

2. **Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation;**
   The structure will be located as close to West Lake Sammamish Parkway as is possible given the necessary 10-foot front yard setback, five-foot side yard setback, and 10-foot combined side yard setback allowed by LUC 20.25H.040.

Although total avoidance is not possible due to the amount of critical area and buffers on the site, locating the development closest to the street Right of Way, via allowed setback modification of LUC 20.25H.040, minimizes the total impact area to lowest degree possible. See Conditions of Approval in Section IX of this report.

3. **The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties;**
   The proposed structure or development will be buffered from the residences on neighboring properties by existing dense, native vegetation. In addition, the tiered, stepped-back building form design is based on geotechnical recommendations and was evaluated to determine the project will not increase the need for greater buffers on neighboring properties (Attachment 6 pg.3, Attachment 7 pg.3), provided the geotechnical recommendations (Attachment 7 pg.5-15) are followed for design and construction of the single-family improvements.

4. **The use of retaining walls that allow the maintenance of existing natural slope area is preferred over graded artificial slopes where graded slopes would result in increased disturbance as compared to use of retaining wall;**
   The structure has been designed using 30-foot soldier pile retaining walls that will be incorporated into the foundation to set the structure into the hillside and avoid grading or creating artificial slopes outside of the building footprint. Updated engineering reporting and plans for the soldier pile wall will need to be submitted for review with the City's Clearing & Grading Department under the Building Permit for the single-family residence. See Conditions of Approval in Section IX of this report.

5. **Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer;**
   The development will minimize increased impervious surface by utilizing a three -story design with the first floor being the garage. The proposed design will consolidate the building footprint to reduce the amounts of impervious surfaces within the critical areas and critical area buffer. The dimensional requirements set for in LUC 20.20.010, or modified in 20.25H.040, must still be followed.

6. **Where change in grade outside the building footprint is necessary, the site retention system should be stepped and regrading should be designed to minimize topographic modification. On slopes in excess of 40 percent, grading for yard area may be disallowed where inconsistent with this criteria;**
   There are no proposed changes in grade outside the building footprint and driveway, other than those absolutely necessary for the construction of the retaining walls for the foundation and the construction of the residence itself, which also includes grading for front yard area being proposed as part of the

project that, in combination with the driveway, will be used for staging. The driveway access will be located at the front edge of the property, adjacent to West Lake Sammamish Parkway, where there will be minimum topographic modification.

7. **Building foundation walls shall be utilized as retaining walls rather than rockeries or retaining structures built separately and away from the building wherever feasible. Freestanding retaining devices are only permitted when they cannot be designed as structural elements of the building foundation;**
   The western, southern, and northern foundation walls will also be soldier pile retaining walls incorporated into the structure of the residence. There are no freestanding retaining elements proposed.

8. **On slopes in excess of 40 percent, use of pole-type construction which conforms to the existing topography is required where feasible. If pole-type construction is not technically feasible, the structure must be tiered to conform to the existing topography and to minimize topographic modification;**
   Pole-type construction is not feasible for this project due to access and aspect of the slope facing West Lake Sammamish Pkwy. In lieu of pole-type construction, the house will be built in a tiered fashion to conform to the existing topography and avoid topographic modification outside of the house footprint.

9. **On slopes in excess of 40 percent, piled deck support structures are required where technically feasible for parking or garages over fill-based construction types; and**
   N/A – There will be no deck structures that extend beyond the building footprint.

10. **Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan meeting the requirements of LUC 20.25H.210.**
    The applicant has submitted a restoration and monitoring plan for the Property to restore impacted areas disturbed during geotechnical analysis. Through the reasonable use exception, the applicant is granted an area of permanent disturbance not to exceed 2,625 square feet as allowed in 20.25H.200.A.2. See Conditions of Approval in Section IX of this report.

iv. Reasonable use exception – Performance standards (LUC 20.25H.205)

1. **The structure shall be located on the site in order to minimize the impact on the critical area or critical area buffer, including modifying the non-critical area setbacks to the maximum extent allowed under LUC 20.25H.040;**
   The structure is being located on the site at the eastern extreme of the property.

It will conform to the minimum 10-foot front yard setback, as modified in LUC 20.25H.040, to avoid additional impacts to the steep slope, wetland buffer, and stream buffer.. The proposed design will consolidate the building footprint to reduce the amounts of impervious surfaces within the critical areas and critical area buffer. The permanent disturbance on the site will be at or below the maximum allowed per the reasonable use exception allowed for this site.

2. **Ground floor access points on portions of the structure adjacent to undisturbed critical area or critical area buffer shall be limited to the minimum necessary to comply with the requirements of the International Building Code and International Fire Code, as adopted and amended by the City of Bellevue;**
   The access points for the new structure will be from the east side of the structure from the driveway through the garage. Any other access points will be situated to minimize disturbance to the adjacent critical area buffer and shall comply with International Building Code and International Fire Code requirements adopted by the City of Bellevue.

3. **Associated development, including access driveways and utility infrastructure, shall be located outside of the critical area or critical area buffer to the maximum extent technically feasible;**
   The access drive will be on the east side of the structure, adjacent to West Lake Sammamish Parkway. This is the location furthest from the most sensitive areas of the property. The proposed utility infrastructure is to be located within the disturbance envelope with exception to one (1) Type 2 catch basin used to connect to the existing storm drain within the right of way and to the south of the driveway.

4. **Areas of disturbance for associated development, including access and utility infrastructure, shall be consolidated to the maximum extent technically feasible;**
   All utilities serving the site will come across or under the access driveway on the east side of the structure, outside of the critical area buffer.

5. **All areas of temporary disturbance associated with utility installation, construction staging and other development shall be determined by the Director and delineated in the field prior to construction and temporary disturbance shall be restored pursuant to a restoration plan meeting the requirements of LUC 20.25H.210;**
   All utility installation, construction or staging will occur with the areas of permanent disturbance and will be covered by permanent structures or surfaces. No restoration of these areas will be possible.

6. **Areas of permanent disturbance shall be mitigated to the maximum extent feasible on site pursuant to a mitigation plan meeting the requirements of LUC 20.25H.210; and**

There will be no areas of permanent disturbance outside of the 2,625 square-foot area allowed under the reasonable use exception. No permanent disturbance will occur within any stream or wetland critical areas. The subject property is in a good condition and any on-site mitigation is not warranted.

7. **Fencing, signage and/or additional buffer plantings should be incorporated into the site development in order to prevent long-term disturbance within the critical area or critical area buffer.**
   Fencing will be required for the boundaries of buffers surrounding the new residence on the southern, western and northern boundaries to prevent future disturbance within the critical areas and critical area buffers.

IV. Public Notice and Comment

Application Date:	March 10, 2017
Public Notice (500 feet):	June 8, 2017
Minimum Comment Period:	June 22, 2017

The Notice of Application for this project was published in the City of Bellevue weekly permit bulletin on June 8, 2017. It was mailed to property owners within 500 feet of the project site. Four (4) comments have been received from the public as of the writing of this staff report.

Summary of Comments:

Comment: *There are concerns about additional discharge of stormwater from the development causing downstream flooding issues.*
Response: The proposal includes a preliminary design for stormwater detention that exceeds the requirements of City Utility codes and standards and the Washington State Department of Ecology (DOE).

The preliminary design has provided flow control measures (Storm Water Minimum Requirement #7) that the City and DOE do not require unless the project meets one of the three requirements below:

- Projects in which the total of effective impervious surfaces is 10,000 square feet or more in a threshold discharge area, or
- Projects that convert .75 acres or more of vegetation to lawn or landscape, or convert 2.5 acres or more of native vegetation to pasture in a threshold discharge area, and from which there is a surface discharge in a natural or man-made conveyance system from the site, or
- Projects that through a combination of effective hard surfaces and converted vegetation areas cause a 0.10 cubic feet per second increase in the 100-year flow frequency from a threshold discharge area as estimated using the Western Washington Hydrology

Model (WWHM) or other approved model and one-hour time steps (or a 0.15 CFS increase using 15-minute time steps).

This project does not propose to do any of the listed above thresholds and therefore is only required to adhere to Minimum Requirements 1-5. Implementing Minimum Requirement 7 for storm water flow control is entirely voluntary for this project.
Final review of the stormwater detention system for construction will occur under separate Utility and Building Permits.

Comment: *The applicant should be required to construct stormwater improvements associated with those agreed to under the 2007 Critical Areas Land Use Permit (07-127112-LO).*
Response: The 2007 CALUP (File No. 07-127112-LO) and the settlement agreement incorporated as part of the Hearing Examiner's Order on appeal of the 2007 CALUP have expired. This prior CALUP approval is no longer valid as the previous applicant did not apply for or has since cancelled the required construction permits needed for the project to avoid the automatic one-year expiration date associated with the CALUP approval.

Additionally, the improvements proposed under the 2007 CALUP and agreed upon and memorialized in the settlement agreement were for the Property and two adjacent parcels when all three properties were under common ownership. These properties have since been sold to several different owners and there is no longer a common application for all three properties.

Furthermore, the applicant has since revised the proposal under this current application to exceed City Utility Code requirements for stormwater discharge.

Comment: *This stream may be considered a Type F stream.*
Response: The applicant of this permit has confirmed and reconfirmed (attachment 3) with Washington Department of Fish & Wildlife that the correct typing of the stream on the adjacent property to the south of the Property is a Type N stream.

V. Summary of Technical Reviews

Clearing and Grading:

The Clearing and Grading Division of the Development Services Department has reviewed the proposed development for compliance with Clearing and Grading codes and standards. The Clearing and Grading staff found no issues with the proposed development. Engineering for the soldier pile wall will be required to be submitted with Building permit and will need to conform with the recommendation provided in the geotechnical analysis. See Conditions of Approval in Section IX of this report.

Utilities:

The Utilities Division of the Development Services Department has reviewed the proposed development for compliance with Utilities codes and standards. The Utilities staff found no

issues with the proposed development. A separate Utilities development permit will be required to construct all required Utilities. See Conditions of Approval in Section IX of this report.

VI. State Environmental Policy Act (SEPA)

The proposal is exempt from SEPA review, per WAC 197-11-800 and BCC 22.02.032. Construction of a single-family residence is a categorical exemption.

VII. Decision Criteria

The proposal, as conditioned below, meets the applicable regulations and decision criteria for a Critical Areas Land Use Permit pursuant to LUC Section 20.30P.

A. Critical Areas Land Use Permit Decision Criteria 20.30P

The Director may approve or approve with modifications an application for a critical areas land use permit if:

1. The proposal obtains all other permits required by the Land Use Code;

The applicant must obtain a Single-Family Building Permit before beginning any work. See Conditions of Approval in Section IX of this report.

2. The proposal utilizes to the maximum extent possible the best available construction, design and development techniques which result in the least impact on the critical area and critical area buffer;

The proposed slope modification and structure will utilize a soldier pile retaining wall with soil anchor tiebacks and includes only the minimum necessary grading outside of the wall footprint. See Conditions of Approval in Section IX of this report.

3. The proposal incorporates the performance standards of Part 20.25H to the maximum extent applicable, and ;

As discussed in Section III of this report, the proposal meets the performance standards of LUC 20.25H.080.A, LUC 20.25H.100, LUC 20.25H.125, and LUC 20.25H.205 for a reasonable use exception into a critical area or critical area buffer.

4. The proposal will be served by adequate public facilities including street, fire protection, and utilities; and;

The proposed single-family residence is consistent with the surrounding land uses and is adequately served by public facilities. All necessary services and ancillary utilities are currently available on-site via West Lake Sammamish Parkway.

5. The proposal includes a mitigation or restoration plan consistent with the requirements of LUC Section 20.25H.210; and

All areas of temporary disturbance associated with the construction and staging of the new single-family residence will be restored per an approved restoration plan. The

permanent disturbance will occur within the 2,625 square feet allowed under 20.25H.190. The location of the proposed residence is adjacent to West Lake Sammamish Parkway. The area of the site, outside of the area of allowed permanent disturbance will be required to be fenced using a split rail fence to help deter human and pet intrusions in to the critical areas and critical area buffers. See Conditions of Approval in Section IX of this report regarding the required restoration plan.

6. The proposal complies with other applicable requirements of this code.
As discussed in Section III of this report, the proposal complies with all other applicable requirements of the Land Use Code.

VIII. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director Development Services does hereby approve with conditions the proposal to obtain a reasonable use exception for the construction of a single-family residence at 1607 West Lake Sammamish Parkway SE.

Note - Expiration of Approval: In accordance with LUC 20.30P.150 a Critical Areas Land Use Permit automatically expires and is void if the applicant fails to file for a Building Permit or other necessary development permits within one year of the effective date of the approval.

IX. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Tom McFarlane, 425-452-5207
Land Use Code- BCC 20.25H	David Wong, 425-452-4282
Noise Control- BCC 9.18	David Wong, 425-452-4282
Utilities Code	Lori Santo, 425-452-6828

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

1. Building & Utilities Permit
Approval of this Critical Areas Land Use Permit does not constitute an approval of a development permit. Application for a Building Permit, Utilities Permit, and other required permits must be submitted and approved prior to any development activity. Plans submitted as part of either permit application shall be consistent with the activity permitted under this approval.

Authority: Land Use Code 20.30P.140
Reviewer: David Wong, Development Services Department

2. Modification to General Dimensions

Modification to the general dimensional requirements for the development of a single-family dwelling are limited to a 10-foot front yard setback; 5-foot side yard setback; and a 10-foot combined side yard setback.

Authority: Land Use Code 20.25H.040.B
Reviewer: David Wong, Land Use

3. Maximum Permanent Disturbance

On-site permanent disturbance for all improvements required to construct a single-family dwelling, driveway, walkway, and other appurtenances included in the conceptual plans of this application shall not exceed 2,625 square feet.

Authority: Land Use Code 20.25H.200.A.2
Reviewer:

4. Retaining Wall Engineering Requirement

An updated plan and engineering study showing the solder pile retaining wall with tieback soil anchors system that has been identified and recommended in the Geotechnical Report is required and shall be submitted for review and approval by the City of Bellevue Clearing and Grading Division prior to the issuance of the required single-family Building Permit.

Authority: Land Use Code 20.25H.125
Reviewer: David Wong, Land Use

5. Restoration for Areas of Temporary Disturbance

A restoration plan for all areas of temporary disturbance outside of the designated permanent disturbance shall be submitted for review and approval by the City of Bellevue as a component of the Single-Family Building Permit. The plan shall identify the full areas of temporary impacts expected by the soldier pile wall installation and the construction of the single-family residence. The restoration measures shall, to the maximum extent feasible, mimic the existing desirable on-site conditions prior to any disturbance.

Authority: Land Use Code 20.25H.220.H
Reviewer: David Wong, Land Use

6. Split Rail Fence & Signage

Installation of a wooden split rail fence designed to limit human and pet intrusion into stream and wetland critical areas and buffers shall be installed outside of the defensible

space of the proposed single-family residence prior to Final Inspection of the Building Permit. Signage provided by the City and indicating the presence of native vegetation protection shall be installed on the fencing on intervals of not greater than 30 feet.

Authority: Land Use Code 20,25H.205.G
Reviewer: David Wong, Land Use

7. Rainy Season Restrictions

Due to the proximity to a steep slope, stream, wetland, and their buffers, clearing and grading activity shall not be performed during the rainy season, which is defined as October 1 through April 30, unless a written authorization has been obtained from the Development Services Department. If approval is granted for work during the rainy season, increased erosion and sedimentation measures, representing the best available technology shall be implemented prior to beginning or resuming site work.

Authority: Bellevue City Code 23.76.093.A
Reviewer: Tom McFarlane, Clearing and Grading

8. Exterior Lighting

All exterior lighting shall be designed and installed to be directed away from the wetland and stream critical areas and their buffers. No exterior lighting will be allowed along the south side of the proposed dwelling.

Authority: Land Use Code 20.25H.080, 20.25H.100
Reviewer: David Wong, Land Use

9. Stream & Wetland Buffer Edge Vegetation

Existing stream and wetland buffer edge vegetation shall be retained and preserved to attenuate noise generated by the new residential use. No mechanical equipment shall be located on the south side or the southwest corner of the proposed single-family dwelling. Mechanical equipment located in the rear yard shall be screened for noise attenuation.

Authority: Land Use Code 20.25H.080, 20.25H.100
Reviewer: David Wong, Land Use

10. Pesticides, Insecticides, and Fertilizers

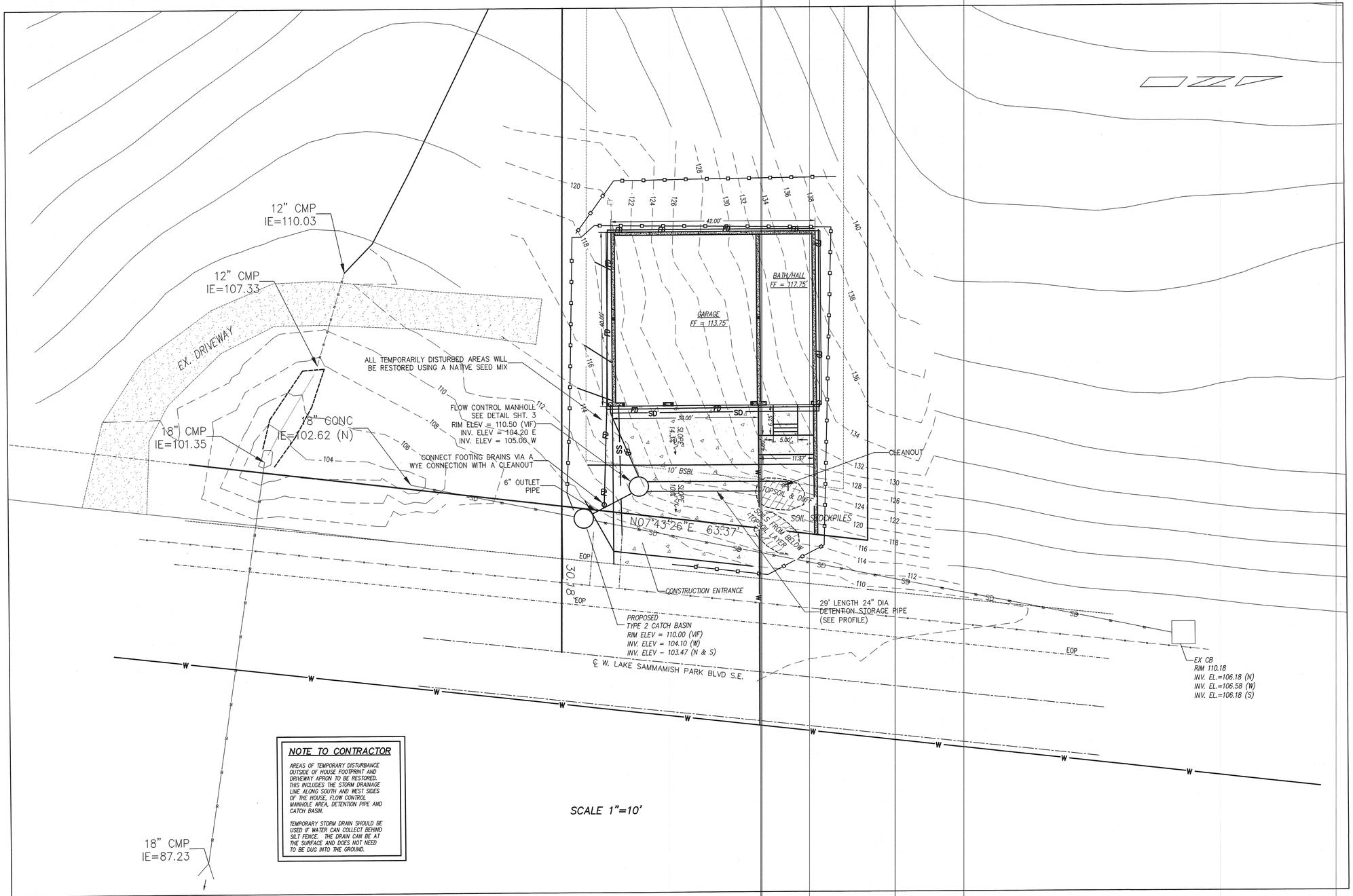
The applicant shall submit as part of the required Clearing and Grading Permit information regarding the use of pesticides, insecticides, and fertilizers in accordance with the City of Bellevue's "Environmental Best Management Practices".

Authority: Land Use Code 20.25H.220.H
Reviewer: David Wong, Land Use

11. Surface Water Quality

Adjacent and downstream properties, storm drain inlets and the downstream natural and built drainage system shall be protected from sediment deposition using BMPs described in the clearing and grading development standards. If protection is inadequate and deposition occurs on adjoining property or public right-of-way or the drainage system, the permittee shall immediately remove the deposited sediment and restore the affected area to the original conditions.

Authority: Bellevue City Code 23.76.090
Reviewer: Tom McFarlane, Clearing and Grading

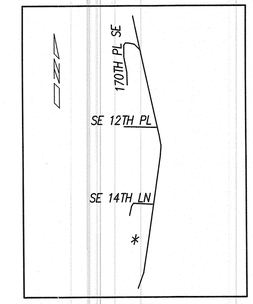


SCALE 1"=10'

NOTE TO CONTRACTOR

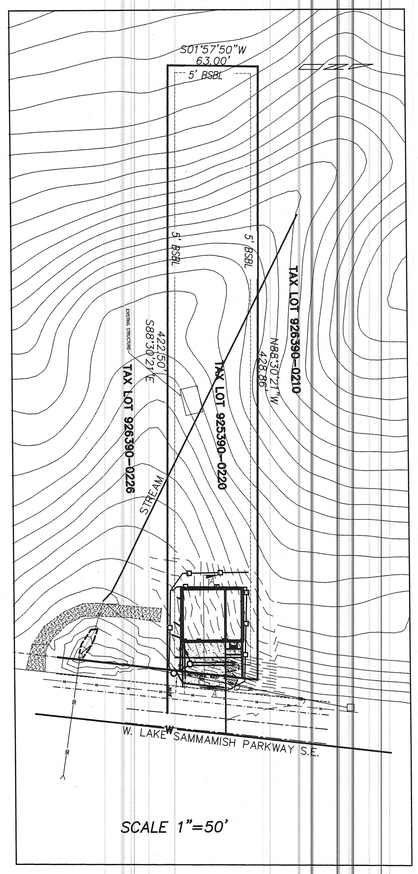
AREAS OF TEMPORARY DISTURBANCE OUTSIDE OF HOUSE FOOTPRINT AND DRIVEWAY APRON TO BE RESTORED. THIS INCLUDES THE STORM DRAINAGE LINE ALONG SOUTH AND WEST SIDES OF THE HOUSE, FLOW CONTROL MANHOLE AREA, DETENTION PIPE AND CATCH BASIN.

TEMPORARY STORM DRAIN SHOULD BE USED IF WATER CAN COLLECT BEHIND SILT FENCE. THE DRAIN CAN BE AT THE SURFACE AND DOES NOT NEED TO BE DUG INTO THE GROUND.



VICINITY MAP

PARCEL NO. 9253900220
SW 1-24-5



SCALE 1"=50'

FAR CALCULATIONS

FIRST FLOOR:	317 SQ FT
SECOND FLOOR:	1213 SQ FT
THIRD FLOOR:	1019 SQ FT
GARAGE:	793 SQ FT
TOTAL LIVING AREA:	2549 SQ FT
LOT AREA	26,785 SQ FT
FAR RATIO	9.5%

GREENSCAPE CALCULATION

AREA WITHIN 10' SETBACK	639.7
IMPERVIOUS WITHIN SETBACK	306.7
GREENSCAPE PERCENT	47.9%

REDUCED FRONT YARD AGREED TO BECAUSE OF WETLAND BUFFERS

GRADING QUANTITIES

CUT: 921 CY
FILL: 0 CY

IMPERVIOUS AREA

LOT AREA: 26,758 SQ FT
IMPERVIOUS AREA:

BUILDING INC. OH	1584
DRIVE AND WALKWAY	785
WALL	18
TOTAL	2387

IMPERVIOUS AREA: 9%

LOT AREA

LOT AREA: 26,785 SQ FT
HOUSE AREA: 1511 SQ FT

COVERED LOT AREA: 5.6%

LEGEND:

C233 SILT FENCE

C235 STRAW WATTLES

LEGAL DESCRIPTION

WEOWNA BEACH UNREC N 63 FT OF GL STR 1-24-5 LY W OF W LK SAMMAMISH BLVD SE LESS W 715FT THOF

NOTE

EXISTING FEATURES OBTAINED FROM PROPERTY OWNER, GOOGLE EARTH, AND FIELD VISIT. EXISTING AREAS ARE APPROXIMATES. HOUSE DIMENSIONS PROVIDED BY OWNER AND MAY BE CHANGED WHEN ARCHITECT GETS INVOLVED.

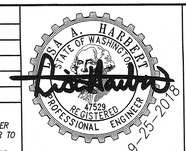
CALL DIAL-DIG AT 1-800-424-5555 AT LEAST 3 BUSINESS DAYS BEFORE DIGGING

OWNER

HE HUI AND QINGMIN SUN
1607 WEST LAKE SAMMAMISH PKWY SE
BELLEVUE, WASHINGTON 98008

REV. #	DESCRIPTION	DATE

UTILITY CONFLICT NOTE:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION, DIMENSION AND DEPTH OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS OR NOT, BY POTHOLING THE UTILITIES AND SURVEYING THE HORIZONTAL AND VERTICAL LOCATIONS PRIOR TO CONSTRUCTION. THIS SHALL INCLUDE CALLING UTILITY LOCATE AT 1-800-424-5555 AND THEN POTHOLING ALL OF THE EXISTING UTILITIES AT THEIR LOCATIONS OF NEW UTILITY CROSSINGS TO PHYSICALLY VERIFY WHETHER OR NOT CONFLICTS EXIST. LOCATION OF SAID UTILITIES AS SHOWN ON THESE PLANS ARE BASED UPON THE UNVERIFIED PUBLIC INFORMATION AND ARE SUBJECT TO VARIATION.



PREPARED BY:

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SITE PLAN
DRAINAGE PLAN
1607 WEST LAKE SAMMAMISH PKWY SE BELLEVUE, WASHINGTON 98008

SCALE: AS SHOWN | ISSUE DATE: 9/25/18 | SHT NO. 1 OF 3